

1 Jordan L. Lurie (SBN 130013)
2 Jordan.Lurie@capstonelawyers.com
3 Tarek H. Zohdy (SBN 247775)
4 Tarek.Zohdy@capstonelawyers.com
5 Capstone Law APC
6 1840 Century Park East, Suite 450
7 Los Angeles, California 90067
8 Telephone: (310) 556-4811
9 Facsimile: (310) 943-0396

6 Attorneys for Plaintiffs Humberto Daniel Klee
and David Wallak

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA—WESTERN DIVISION

11 HUMBERTO DANIEL KLEE and
12 DAVID WALLAK, individually, and
on behalf of a class of similarly
situated individuals,

13 Plaintiffs,

14

NISSAN NORTH AMERICA, INC.

Defendant.

Case No.: CV12-08238 DDP (PJWx)

Hon. Dean D. Pregerson

**JOINT STIPULATION TO EXTEND
THE DATE TO FILE THE MOTION
FOR FINAL APPROVAL OF
SETTLEMENT UNTIL
NOVEMBER 4, 2013 AND
EXTENDING TIME TO FILE
RESPONSE TO MOTION FOR
FINAL APPROVAL UNTIL
NOVEMBER 11, 2013**

1 This Stipulation is made by Plaintiffs Humberto Daniel Klee and David
2 Wallak and Defendant Nissan North America, Inc. ("NNA") (collectively, the
3 "Parties") through their respective counsel of record, as follows:

4 **WHEREAS**, the Court granted preliminary approval of the Parties' class
5 action settlement on July 10, 2013;

6 **WHEREAS**, the Court set a Final Fairness Hearing for November 18,
7 2013;

8 **WHEREAS**, the settlement administrator mailed over 19,000 notices of
9 the settlement to all Class Members on September 9, 2013;

10 **WHEREAS**, Class Members were given until October 15, 2013 to submit
11 requests for exclusion or objections to the settlement;

12 **WHEREAS**, certain objections were mailed on the last day to object
13 (October 15, 2013) and were only recently received by counsel;

14 **WHEREAS**, before submitting the motion for final approval of the
15 settlement, the Parties would appreciate the opportunity to fully assess all of the
16 objections, including the ones recently received, and to speak with the objectors
17 and possibly have the objections withdrawn;

18 **WHEREAS**, Plaintiffs' lead attorney was out of the country when the
19 recent objections were received and has not yet returned to the office to assist in
20 Plaintiffs' efforts;

21 **WHEREAS**, the deadline for the Parties to submit formal responses to all
22 the objections is November 4, 2013, per the preliminary approval order;

23 **WHEREAS**, the deadline for NNA to submit a response to Plaintiffs'
24 motion for final approval is November 4, 2013, per the preliminary approval
25 order

26 **NOW THEREFORE**, the Parties stipulate as follows:

27 (1) Plaintiffs may file their motion for final approval of the
28 settlement of this action on November 4, 2013, the same date

1 that the Parties' responses to objections are due;

2 (2) NNA may file its response to Plaintiffs' motion for final approval on
3 November 11, 2013; and

4 (3) Subject to Court approval, this Stipulation does not alter the date for
5 the hearing on final approval of the Settlement, which remains
6 on November 18, 2013.

7 **IT IS SO STIPULATED.**

8
9 Dated: October 21, 2013

CAPSTONE LAW APC

10 By: /S/ Jordan L. Lurie

11 Jordan L. Lurie
12 Tarek H. Zohdy

13 Counsel for Plaintiffs Humberto Daniel
14 Kleeand David Wallak

15
16 Dated: October 21, 2013

SEDGWICK LLP

17 By: /S/ Paul Riehle

18 Paul Riehle

19 Counsel for Defendant Nissan North
20 America, Inc.